

Before an Independent Hearings Panel  
appointed by Christchurch City Council

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*under:* the Resource Management Act 1991

*in the matter of:* the hearing of submissions on Plan Change 14 (Housing  
and Business Choice) to the Christchurch District Plan

*and:* **Carter Group Limited and Kāinga Ora Homes and  
Communities**

Memorandum of counsel on behalf of Carter Group Limited  
and Kāinga Ora Homes and Communities

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Dated: 18 August 2023

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**MAY IT PLEASE THE PANEL:**

- 1 This memorandum of counsel is filed on behalf of Carter Group Limited and Kāinga Ora Homes and Communities (the *Submitters*). It relates to the Council's section 42A reports and evidence filed on Friday 11 August 2023.
- 2 As the Panel may be aware, some of the reports and evidence have provided amended provisions that clearly outline where submissions have been accepted or reject (in whole or in part) and the officer's / experts' amended provisions in response.
- 3 However, for a number of the reports and evidence, counsel and the Submitters' planners have not been able to ascertain the extent to which submission points have been accepted or rejected and what amendments to provisions are proposed. This has created significant challenges for experienced planners (let alone lay submitters) to be able to start preparing substantive evidence, and to determine what other technical evidence is required.
- 4 For example, Carter Group Limited (and other Chapman Tripp clients) had a range of experts on standby to provide evidence once the Council's reports and evidence were reviewed, but until the Council's amended provisions are provided, it remains unclear exactly the extent of technical input that is required. In other cases submission points have not been addressed, and it remains to be seen where the provisions stand from Council's perspective in relation to these submission points.
- 5 The experience of counsel and the Submitters' planners in other planning processes is that the provision of amended provisions in section 42A reports is usual practice, and these are often updated through the course of the hearings process.
- 6 Counsel understand from discussions with counsel for the Council that a consolidated set of provisions may be provided today. Proposed amended maps are not intended to be provided.
- 7 Given the challenges the delay is posing for the Submitters, they have considered whether a brief extension to the expert evidence deadline could be accommodated within the current timetable. The below is proposed as a pragmatic approach to the situation:

<b>Dates</b>	<b>Action/Duration</b>
<del>15</del> 20 September 2023	Filing and service of submitter expert evidence in chief

<b>Dates</b>	<b>Action/Duration</b>
<del>18 21</del> September to <del>29</del> <del>September 3</del> <u>October</u> 2023	Expert conferencing
<del>29</del> <del>September 3</del> <u>October</u> 2023	Applications for rebuttal evidence due
<del>2 4</del> October 2023	Rebuttal applications determined
<del>3 5</del> October 2023	Filing of expert joint statements
9 October 2023	Filing and service of submitter rebuttal evidence  Filing and service of brief opening legal submissions by all parties (10 page limit)

- 8 The Submitters therefore respectfully seek the above amendments to the hearings timetable.

Dated: 18 August 2023




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Jo Appleyard  
Counsel for Carter Group Limited




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Bal Matheson  
Counsel for Kāinga Ora Homes and Communities